

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)
)
)
v.) CR. NO. 2:06-cr-200-WHA
)
)
ROSA E. RINCON)

MOTION FOR LEAVE TO DISMISS COUNT TWO OF INDICTMENT

Comes now the United States of America, by and through its Attorney for the Middle District of Alabama, and moves the Court for leave to dismiss Count Two of the Indictment filed on August 15, 2006, as to Rose Rincon, on the following grounds: Interest of Justice.

Respectfully submitted this 1st day of December, 2006.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Christopher A. Snyder
CHRISTOPHER A. SNYDER
Assistant United States Attorney
Post Office Box 197
Montgomery, Alabama 36101-0197
334.223.7280
334.223.7135 fax
christopher.a.snyder@usdoj.gov

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CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Jay Lewis.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Christopher A. Snyder
CHRISTOPHER A. SNYDER
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104
Telephone: (334) 223-7280
Fax: (334) 223-7135
E-mail: christopher.a.snyder@usdoj.gov

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O R D E R

Upon consideration of the Motion for Leave to Dismiss Count Two of the Indictment as to Rosa E. Rincon, heretofore filed in the above styled cause, and for good cause shown, the Court is of the opinion that the motion should be and the same hereby is granted. It is, therefore, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that said motion be and the same is hereby granted.

DONE this ____ day of December, 2006.

W. HAROLD ALBRITTON
UNITED STATES DISTRICT JUDGE

DISMISSAL OF COUNT TWO OF THE INDICTMENT

Comes now the United States of America with leave of the Court first had and obtained and dismisses Count Two of the Indictment heretofore filed in the above styled cause as to Rosa E. Rincon.

Respectfully submitted,

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Christopher A. Snyder
CHRISTOPHER A. SNYDER
Assistant United States Attorney
Post Office Box 197
Montgomery, Alabama 36101-0197
334.223.7280
334.223.7135 fax
christopher.a.snyder@usdoj.gov